

The Honorable Chief Judge David G. Estudillo

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

PAUL D. ETIENNE, JOSEPH J. TYSON,
THOMAS A. DALY, FRANK R.
SCHUSTER, EUSEBIO L. ELIZONDO,
GARY F. LAZZERONI, GARY M.
ZENDER, ROBERT PEARSON,
LUTAKOME NSUBUGA, JESÚS
MARISCAL, MICHAEL KELLY,

Plaintiffs,

V.

ROBERT W. FERGUSON, in his official capacity as Governor of Washington, NICHOLAS W. BROWN, in his official capacity as Attorney General of Washington, LEESA MANION, in her official capacity as King County Prosecuting Attorney, LARRY HASKELL, in his official capacity as Spokane County Prosecuting Attorney, JOSEPH BRUSIC, in his official capacity as Yakima County Prosecuting Attorney, RANDY FLYCKT, in his official capacity as Adams County Prosecuting Attorney, CURT LIEDKIE, in his official capacity as Asotin County Prosecuting Attorney, ERIC EISINGER, in his official capacity as Benton County Prosecuting Attorney, ROBERT SEALBY, in his official capacity as Chelan County Prosecuting Attorney, MARK NICHOLS, in his official

No. 3:25-cv-05461-DGE

[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION

1 capacity as Clallam County Prosecuting
 2 Attorney, TONY GOLIK, in his official
 3 Capacity as Clark County Prosecuting
 4 Attorney, DALE SLACK, in his official
 5 capacity as Columbia County Prosecuting
 6 Attorney, RYAN JURVAKAINEN, in his
 7 official capacity as Cowlitz County
 8 Prosecuting Attorney, GORDON EDGAR, in
 9 his official capacity as Douglas County
 10 Prosecuting Attorney, MICHAEL GOLDEN,
 11 in his official capacity as Ferry County
 12 Prosecuting Attorney, SHAWN SANT, in his
 13 official capacity as Franklin County
 14 Prosecuting Attorney, MATHEW
 15 NEWBERG, in his official capacity as
 16 Garfield County Prosecuting Attorney,
 17 KEVIN McCRAE, in his official capacity as
 18 Grant County Prosecuting Attorney, NORMA
 19 TILLOTSON, in her official capacity as Grays
 20 Harbor County Prosecuting Attorney,
 21 GREGORY BANKS, in his official capacity
 22 as Island County Prosecuting Attorney,
 23 JAMES KENNEDY, in his official capacity as
 24 Jefferson County Prosecuting Attorney,
 25 CHAD ENRIGHT, in his official capacity as
 26 Kitsap County Prosecuting Attorney,
 27 GREGORY ZEMPEL, in his official capacity
 as Kittitas County Prosecuting Attorney,
 DAVID QUESNEL, in his official capacity as
 Klickitat County Prosecuting Attorney,
 JONATHAN MEYER, in his official capacity
 as Lewis County Prosecuting Attorney, TY
 ALBERTSON, in his official capacity as
 Lincoln County Prosecuting Attorney,
 MICHAEL DORCY, in his official capacity as
 Mason County Prosecuting Attorney,
 ALBERT LIN, in his official capacity as
 Okanogan County Prosecuting Attorney,
 MICHAEL ROTHRMAN, in his official
 capacity as Pacific County Prosecuting
 Attorney, DOLLY HUNT, in her official
 Capacity as Pend Orielle County Prosecuting
 Attorney, MARY ROBNETT, in her official
 capacity as Pierce County Prosecuting
 Attorney, AMY VIRA, in her official capacity
 as San Juan County Prosecuting Attorney,
 RICH WEYRICH, in his official Capacity as

[PROPOSED] ORDER GRANTING PLAINTIFFS'
 MOT. FOR PRELIMINARY INJUNCTION
 (No. 3:25-cv-05461-DGE)

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1 Skagit County Prosecuting Attorney, ADAM
2 KICK, in his official capacity as Skamania
3 County Prosecuting Attorney, JASON
4 CUMMINGS, in his official capacity as
5 Snohomish County Prosecuting Attorney,
ERIKA GEORGE, in her official capacity as
6 Stevens County Prosecuting Attorney, JON
TUNHEIM, in his official capacity as
7 Thurston County Prosecuting Attorney, DAN
BIGELOW, in his official capacity as
8 Wahkiakum County Prosecuting Attorney,
GABE ACOSTA, in his official capacity as
9 Walla Walla County Prosecuting Attorney,
ERIC RICHEY, in his official capacity as
10 Whatcom County Prosecuting Attorney, and
DENIS TRACY, in his official capacity as
Whitman County Prosecuting Attorney,

11 Defendants.

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13 This matter, having come before the Court on Plaintiffs' Motion for a Preliminary
14 Injunction, and it appearing, upon argument of counsel and for good cause shown, that the Motion
15 should be granted, IT IS HEREBY ORDERED that Defendants and their agents, servants,
16 employees, and attorneys, and other persons who are in active concert or participation with
17 Defendants, their agents, servants, employees, and attorneys, are preliminarily enjoined, pursuant
18 to Federal Rule of Civil Procedure 65(a), from enforcing or attempting to enforce RCW
19 § 26.44.030, as amended by Senate Bill 5375, as applied to information learned by Roman Catholic
20 priests solely through the Sacrament of Confession.

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23 Dated this _____ day of _____, 2025

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25 HON. CHIEF JUDGE DAVID G. ESTUDILLO
UNITED STATES DISTRICT JUDGE

1 *Presented by:*

2 /s/ William J. Crowley

3 William J. Crowley (WSBA # 18499)

4 *Counsel for Plaintiffs Paul D. Etienne, Joseph J. Tyson, Thomas A. Daly, Frank R. Schuster,*
Eusebio L. Elizondo, Gary F. Lazzeroni, Gary M. Zender, Robert Pearson, Lutakome Nsubuga,
5 Jesús Mariscal, Michael Kelly

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